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EXAMINER

BELL, PAUL A

ART UNIT	PAPER NUMBER
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3628

DATE MAILED: 04/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/438,590

Applicant(s)

CONCANNON ET AL.

Examiner

PAUL A BELL

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 October 2004.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-13 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. In view of the APPEAL BRIEF filed on 10/01/2004, **PROSECUTION IS HEREBY REOPENED**. As set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

- (1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,
- (2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

2. Applicant's arguments with respect to claims 1-13 have been considered but are moot in view of the new ground(s) of rejection.

Specification

3. The attempt to incorporate subject matter into this application by reference to "CHASE TRADE WINDOWS USER GUIDE", publication CTWUG.980220, 1998 on page 5, lines 10-12, is improper because a reference to a non patent publication such as this one which can not be made readily available to the public does not minimize the public's burden to search for and obtain copies of documents incorporated by reference.

Drawings

4. Figures 1-3 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

With regard to figure 2 applicant states on page 4 lines 1-2 of Spec, "Figure 2 depicts process followed by the PaySource(SM) component of the present invention." , and wherein the examiner has put into the record in this office action evidence which clearly states that PaySource is a product of Chase Manhattan used in May of 1995 thereby effectively suggesting this component is prior art .

With regard to figure 3 applicant states on page 4, lines 3-4 of Spec, "Figure 3 illustrates the process carried out by the Trader System component of the present invention;" and further applicant states on page 5, lines 10-13, "in a preferred embodiment it operates with a Trading System 125 known as Chase Trader. Chase Trader is described in a publication "CHASE TRADE WINDOWS USER GUIDE", publication CTWUG.980220, 1998" and wherein the examiner has put into the record in this office action evidence which clearly states that Chase Trader Pro is a product of

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Chase used in November of 1996 thereby effectively suggesting this component is also prior art .

With regard to figure 1 its been shown that item 110 PAYSOURCE and item 125 TRADING SYSTEM are prior art and applicant on page 5, line 1 of specification stated that item 120 FUNDS TRANSFER SYSTEM 120 is conventional and further applicant stated on page 4, lines 14 of specification item 105 BANK FIREWALL is a well known security device that prevents unauthorized users from gaining access to the internal bank systems. Since all the parts of figure 1 are old and they appear to be used as they were intended to be used it is reasonable expect a prior art label on this system illustration. Figure 1 simply does not make clear by illustration what the improvement is in the old system. When the invention consists of an improvement on an old system the drawing must when possible exhibit, in one or more views, the improved portion itself, disconnected from the old structure, and also in another view, so much only of the old structure as will suffice to show the connection of the invention therewith (SEE 37 CFR 1.83(b)).

Claim Rejections - 35 USC § 101

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6. Claims 6-13 are rejected under 35 U.S.C. 101 because the body of the claims do not recite technology.

For a claim to be statutory under 35 USC 101 the following two conditions must be met:

1) In the claim, the practical application of an algorithm or idea results in a useful, concrete, tangible result,

AND

2) The claim provides a limitation in the technological arts that enables a useful, concrete, tangible result.

As to the technology requirement, note MPEP Section IV 2(b). Also note *In re Waldbaum*, 173USPQ 430 (CCPA 1972) which teaches “useful arts” is synonymous with “technological arts”. In *Musgrave*, 167USPQ 280 (CCPA 1970), *In re Johnston*, 183USPQ 172 (CCPA 1974), and *In re Toma*, 197USPQ 852 (CCPA 1978), all teach a technological requirement.

The invention in the body of the claim must recite technology. If the invention in the body of the claim is not tied to technological art, environment, or machine, the claim is not statutory. *Ex parte Bowman* 61USPQ2d 1665, 1671 (BD. Pat. App. & Inter. 2001) (Unpublished)

In the present case, claims 6-13, for example do not recite any structure to suggest that a technology such as a “computer” performs the recited claims. Thus, claims 6-13, are rejected as being directed to non-statutory subject matter.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1-13 are rejected under 35 U.S.C. 102(b) based upon a public use or sale of the invention. Applicants figure 2 illustrates, "Process followed by the PaySource (SM)" and applicant on page 4 lines 18-19 of specification stated, "PaySource(SM) 110 is where the majority of the processing of the present invention takes place", which reads on most of the claim language and further applicants figure 3 illustrates, "Process carried out by the Trader System" , and applicant on page 5 lines 10-13 of specification stated that, "Trading System 125 known as Chase Trader. Chase Trader is described in a publication" which reads on the other part of the claims. Since "PaySource (SM)" is a product of Chase Manhattan used at least as early as May of 1995 and Trader Pro is also a product of Chase Manhattan Bank used at least as early as November of 1996 to provide a service , it is reasonable to allege that this claimed system providing this service was therefore "USED" more than one year before application.

9. **An issue of public use or on sale activity has been raised in this application.** In order for the examiner to properly consider patentability of the claimed invention under 35 U.S.C. 102(b), additional information regarding this issue is required as follows: Please provide a copy of "CHASE TRADE WINDOWS USER GUIDE", publication CTWUG.980220, 1998 and an earlier edition of this user guide that was used one year before application. Also please provide a copy of the user Guide for PaySource (SM) which was used one year before application.

Applicant is reminded that failure to fully reply to this requirement for information will result in a holding of abandonment.

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 1-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Potter et al. (5,787,402) in view of Rosen (5,774,553) and Clark (6,058,378) and Sherree DeCovny. "**NET SCOPE**", Banking Technology. London: May 1997.Vol. 14, Iss. 4; pg. 28, 4 pgs..

With regard to claims 1 and 6 Potter et al. teaches a system and method for processing funds transfer transactions from a customer of a financial institution

(SEE Potter et al. figure 1, and column 1, lines 9-14, "The present invention relates generally to methods and systems for performing automated financial transactions, and more particularly to a method and system for performing automated financial **transactions** involving **at least two currencies** at **real-time market rates** between **a customer** and a **financial institution.**"),

the system comprising: a first processor receiving a file from the customer

(SEE Potter et al. figure 1, item 10 , column 3, lines 19-25, "Customers can access the system on-line and in real time through various terminals such as, for example, **a personal computer (PC)**. By **inputting information** in response to prompts

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on the screen, the system quickly identifies the nature of the transaction the customer desires and the customer inputs the characteristics of the transaction the user desires.),

the file containing funds transfer transactions such as funds transfer transactions requiring a foreign exchange operation denoted as foreign exchange funds transfer transactions

(SEE Potter et al. Column 3 lines 13-18 "a method and system for initiating and executing foreign exchange transactions. The improved method and system deals in virtually all trading currencies, automatically incorporates the current market process and operates in a secure environment."),

or funds transfer transactions not requiring a foreign exchange operation, denoted as same currency funds transfer transactions

(SEE Potter et al. column 3, lines 57-63, "Further, the system enables users to perform **money market transactions** in which a user may deposit money in a first currency and automatically obtain interest on that deposit in the first currency."),

a second processor coupled to the first processor, the second processor receiving the same currency funds transfer transactions not requiring a foreign exchange operation from the first processor

(SEE Potter et al. figure 1 item 16 "MONEY MARKET GUI" and figure 2, item 106 "MONEY MARKET SERVER" column 5, lines 3-6 "Money Market Trade

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Execution Server (Money Market Server). This server allows a client to deposit a foreign currency for a short-term deposit at a specified deposit rate”),

the second processor generating first funds transfer instructions in response to the same currency funds transfer transactions

(SEE Potter et al. column 5, lines 11-14, “both principal and interest accrued at the specified deposit rate, with principal and interest returned to the client in the original currency.”),

a funds transfer processor coupled to the second processor, the funds transfer processor receiving the first funds transfer instructions from the second processor and executing the received first funds transfer instructions by transferring funds to a funds transfer processor of another financial institution (SEE Potter et al. column 15, lines 16-60), and a trading processor coupled to the first processor, the trading processor receiving the foreign exchange funds transfer transactions from the first processor, the trading processor executing a foreign exchange operation in response to the received foreign exchange funds transfer transactions (SEE Potter et al. figure 2, item 118 ; column 4, line 45- column 13, line 10).

Potter et al. does not explicitly illustrate an example wherein a file from a customer may be “a bulk” file, or “the bulk file containing a plurality of funds transfer

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transactions” , and “the first processor grouping the plurality of funds transfer transactions” .)

However Rosen teaches; “grouping the plurality of funds transfer transactions” was a common practice of a in “FOREIGN EXCHANGE TRANSACTION SYSTEM”.

(SEE Rosen abstract; “A real-time multilateral foreign exchange settlement system having **a computer implemented netting system**, a processor-based multilateral settlement coordinator (MSC) having a first money module and a first host application, where the first host application receives debit and credit data from said netting system. **A plurality of processor**-based multilateral settlement agents (MSAs) each having a second money module and a second host application. “

SEE column 26 where in it “Foreign exchange trading can be settled in one of three ways:

- 1) gross settlement--payments are accumulated on a trade-by-trade basis;
- 2) bilateral net settlement--payments are based on netting the trades for two counter parties; and
- 3) **multilateral net settlement--payments are based on netting the trades for more than two counter parties as a group**. “ . . .

“At the end of the **trading day the dealer's back office** matches and confirms its trades with their counterpart's back office (step 3004). Trading could be over the phone or via on-line trading or brokering systems offered by Reuters and EBS. “)

And Clark et al. teaches the file being “a bulk file containing a plurality of funds transfer transactions”

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(SEE Clark et al. Teaches in Column 19; "By selecting the Cash Management icon or menu item from the display screen shown in FIG. 15, a user can create, verify, **authorize**, modify, delete, and repair cash transactions, as shown in FIG. 16. The software supports all transaction types and allows a user to create a free format or preformatted transaction, **perform a local transaction authorization, and interact with a variety of bank branches using a variety of different currencies.**" And SEE Column 19; "After selecting the Cash Management application, the application will present a window (see FIG. 17) to collect information about the transaction the user wants to create. Included in the window is a format selection box that allows the user to select between three different types of **formatting for the transaction**: free format, preformat, **or group format**. The free format feature allows the user to create a cash TI by entering data into all required and all appropriate optional fields. The preformat feature allows the user to create a cash TI using a partially or fully completed cash transaction template (e.g., all fields completed except the amount of the transaction). The **group format is a collection of related preformats, such as** payroll, accounts receivable, accounts payable, and treasury." And SEE Column 24 "The **Consolidated** Available Balances **Summary report** shows a summary of all accounts consolidated by **currency** for the enterprise, branch, customer, and account. Each line of the report shows a currency, the previous closing balance, and the current available amount. The totals at the bottom of the page are in a predetermined base currency.")

Sherree DeCovny teaches it was a common practice to use the internet in the banking industry for a large batch file (or bulk file) to save time and cost.

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(SEE Sherree DeCovny on page 29 teaches; **“Three US banks - BankAmerica, Chase Manhattan Bank and Mellon Bank - have publicly announced that they are exchanging EDI messages with corporate clients over the Internet.** Meanwhile, Thomas Cook has announced an Internet **foreign exchange service** targeted towards corporate customers.” And SEE page 30 “ After running a two month pilot programmed, **Chase and Ultramar Diamond Shamrock went into production last March, and files are now being sent to the bank over the Internet daily.** Chase has a queue of customers considering a similar arrangement; many are Premenos **customers who already use Chase's existing EDI product, PaySource.** In addition, there is interest from customers in Thailand, Singapore, Australia and Switzerland who want to send payment-related information to Chase over the Internet in a format other than EDI.” . . And further see page 31, “Last December, Bell Atlantic had **a huge payments file** to send to Mellon, explains Mauro DeFelice, manager of security and technical services at Mellon Bank. Using the bank's proprietary network, it would have taken 41 hours to transmit, and the cost would have been around \$700 to \$800. The same file sent over a VAN would have cost \$20,000. **On the Internet, it took 27 minutes to transmit and it cost \$1.40.** According to Phil Walker, director of strategic projects for Thomas Cook Financial Services North America, an Internet-based service provides more flexibility for the corporate customer in that transactions can be executed from any remote location. The solution is hardware independent, which means that companies can purchase hardware based on what is right for them, not on what is compatible with the bank. Also,

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the templates make it easy for customers to automate a lot of their transactions, leaving staff free for other activities. ")

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Potter et al. method and system to use "bulk files containing a plurality of funds transfer transactions", and "the first processor grouping the plurality of funds transfer transactions" as taught by of Rosen , Clark and DeCovny to be a common practice of banks and as further motivation DeCovny teaches using the internet to send huge files saves time and money for banks and still further one is motivated to group similar types of trades as needed in order create proper size trading blocks which will command the best trade price.

With regard to claims 2 and 7 the combination of Potter et al. / Rosen / Clark et al. and DeCovny teaches the system and method according to claims 1 and 6, wherein: the trading processor is coupled to the second processor, the trading processor forwarding to the second processor the foreign exchange funds transfer transactions and funds resulting from the foreign exchange operation, the second processor generating second funds transfer instructions in response to the foreign exchange funds transfer transactions and funds resulting from the foreign exchange operation, and the funds transfer processor receiving the second funds transfer instructions from the second processor and executing the received second funds transfer instructions by transferring funds to a funds transfer processor of another financial institution (SEE Potter et al. figure 1 item 40 BANK 2).

With regard to claim 3 the combination of Potter et al. / Rosen / Clark et al. and DeCovny teaches the system according to claim 1, further comprising: a link coupling the first processor to a system of the customer, wherein the customer system transmits the bulk file to the first processor (SEE Potter et al. figure 1, item 10 CUSTOMER).

With regard to claim 4 the combination of Potter et al. / Rosen / Clark et al. and DeCovny teaches the system according to claim 3, further comprising: a firewall disposed in the link coupling the first processor to the customer system (SEE Potter et al figures 1 and 2 which do not illustrate the commonly used firewall implemented by software however the examiner declares OFFICIAL NOTICE that a firewall was a well known security device that prevents unauthorized users from gaining access to the internal bank system and the customer and bank would be motivated to use firewalls to prevent unauthorized hackers from causing damage).

With regard to claim 5 the combination of Potter et al. / Rosen / Clark et al. and DeCovny teaches the system according to claim 1, further comprising: a market link from the trading processor to a foreign exchange market, wherein the trading processor receives real time foreign exchange rates over the link (SEE Potter et al. figures 1 and 2 and column 1, lines 9-14).

With regard to claim 8 the combination of Potter et al. / Rosen / Clark et al. and DeCovny teaches the method according to claim 6, further comprising the step of separating the received bulk file into its component funds transfer transactions, the component funds transfer transactions including the foreign exchange funds transfer transactions and the same currency funds transfer transactions (It is obvious one is

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motivated to group similar types of trades as needed in order create proper size trading blocks which will command the best trade price and examiner declares OFFICIAL NOTICE that this is a common practice).

With regard to claim 9 the combination of Potter et al. / Rosen / Clark et al. and DeCovny teaches the method according to claim 6, further comprising the step of sending an acknowledgments to the customer upon receipt of the bulk file and upon the settlement of the funds transfer transactions (SEE Potter et al. figures 18-26 and SEE Clark et al. Column 24 "The **Consolidated** Available Balances **Summary report** shows a summary of all accounts consolidated by currency for the enterprise, branch, customer, and account. Each line of the report shows a currency, the previous closing balance, and the current available amount. The totals at the bottom of the page are in a predetermined base currency.").

With regard to claim 10 the combination of Potter et al. / Rosen / Clark et al. and DeCovny teaches the method according to claim 6, further comprising the step of grouping the foreign exchange funds transfer transactions into batches according a market in which the foreign exchange operation is to take place (SEE Clark et al. Column 24 "The **Consolidated** Available Balances **Summary report** shows a summary of all accounts consolidated by currency for the enterprise, branch, customer, and account. Each line of the report shows a currency, the previous closing balance, and the current available amount. The totals at the bottom of the page are in a predetermined base currency.").

With regard to claim 11 the combination of Potter et al. / Rosen / Clark et al. and DeCovny teaches the method according to claim 10, further comprising the step of validating the format and contents of the batches (The examiner declares OFFICIAL NOTICE that this feature was known as “error checking” and is commonly practiced by the banks to prevent errors which can cost money).

With regard to claim 12 the combination of Potter et al. / Rosen / Clark et al. and DeCovny teaches the method according to claim 11, further comprising the step of validating the format and contents of the foreign exchange funds transfer transactions contained in the batches (The examiner declares OFFICIAL NOTICE that this feature was known as “error checking” and is commonly practiced by the banks to prevent errors which can cost money).

With regard to claim 13 the combination of Potter et al. / Rosen / Clark et al. and DeCovny teaches the method according to claim 10, further comprising the step of aggregating the foreign exchange funds transfer transactions contained in the batches according to a currency of the foreign exchange operation (It is obvious one is motivated to group similar types of trades as needed in order create proper size trading blocks which will command the best trade price and examiner declares OFFICIAL NOTICE that this is a common practice).

Conclusion

12. The prior art made of record and not relied upon is considered very pertinent to applicant's disclosure.

"CHASE MANHATTAN INTRODUCES NEW FEDI PAYABLES PRODUCT"

Cash Management News. London: May 1995., Iss. 109; pg. 5, 2 pgs Teaches; "The payments process--particularly **Bulk Payments**--is a good candidate for outsourcing to a third party, because it can be expensive and time consuming to print and mail cheques in-house. For some years, **Chase** has been able to handle wire transfers and ACH payments as an outsource. But in response to market demand, the Bank has **developed a new product called PaySource**, which enables it to make payments on behalf of its clients by cheque as well. **Using PaySource**, clients can send **a mainframe transmission** to the Bank, which can **include instructions** for cheque payments, **wire transfers or ACH payments**. The system is geared around **X12 standards.**"

Steven Marjanovic. "CORPORATE SERVICES: **CHASE GEARS UP GLOBAL PAYMENTS SYSTEM** SERIES: 16 ", American Banker (pre-1997 Fulltext). New York, N.Y.: Sep 11, 1995.Vol. 160, Iss. 174; pg. 41. Teaches; "The following **products** have been **integrated into PaySource**:

* Global Money Transfer, developed several years ago to allow payment origination from any Chase location in the world.

* Multibank, launched in 1992, which converts payment **instructions into Swift formats.**

* Chase Gold, an acronym for Global Online Disbursement. Developed earlier this year, it allows banks and corporations to issue, print, and reconcile checks in **any currency** **from any office in the world.**

“OPERATING IN A MULTI-CURRENCY ENVIRONMENT”, Asiamoney.

London: Oct 1995. pg. 6, 4 pgs. Teaches, “use of sophisticated **foreign exchange** and risk management products” “Linking an accounts payable system to a bank's payment and remittance issuance system can add dramatically to the incremental cost savings. Since most of the banking systems in Asia are still paper-intensive, a system of this kind can automate a corporation's payable operation immediately. **Chase now operates such a system, known as PaySource(TM).** Although the implementation of this system must be carefully planned, it presents **the opportunity to consolidate accounts** payable processing, eliminate paper handling and reduce the possibility of fraud.”

Reinbach, Andrew. “**CHASE STEPS UP TREASURY SYSTEM**” , Bank Systems & Technology. New York: Nov 1995.Vol. 32, Iss. 11; pg. 29, 2 pgs. Teaches; “Chase Manhattan Bank is capitalizing on the outsourcing mania that has swept corporate America by offering to replace many typical treasury functions with **a newly enhanced version of its PaySource payment system.** The service enables corporate and institutional customers to outsource all of their **payments in any currency and from points around the globe.** The new services include payments in any currency, transmitted world-wide, either on paper electronically, **from the customer's own same-currency accounts.**” . . . “The service enables corporate and institutional customers to

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outsource all of their payments--paper or electronic--in any currency and from points around the globe. 'The idea of outsourcing the treasury function is becoming more and more popular, and the idea of doing lots of different payments in lots of different currencies is, too; so it's really growing tremendously," says Chase vp Mary

McKenney." . . . "PaySource itself is relatively new, but as a bank function, it's an outgrowth of Chase's old bank-to-bank payments system, which has existed for many years, and was extended from financial institutions to big corporations o years ago.

PaySource features several enhancements: Global Money Transfer, which provides the ability to make payments from any Chase location worldwide; MultiBank, which allows payments to be made from an existing account with any **Society for Worldwide Interbank Financial Telecommunications (S.W.I.F.T.)** member bank; and Chase GOLD, which allows issuance of checks in all major currencies at Chase and other banks.

"CHASING THE GLOBAL TREND", CASH MANAGEMENT NEWS. London: Dec 1995., Iss. 115; pg. 8, 3 pgs. Teaches; "Chase claims that PaySource streamlines and speeds up the payment process, simplifies the **reconciliation process**, reduces exposure to fraud, and reduces payment production costs. The Bank also maintains that it is the only service of its kind to do this globally. With **Chase PaySource**, a company remains in control of its payments, while Chase handles all of the details. The customer transmits a single stream of payment instructions to Chase through **a standard ANSI 820 or EDIFACT EDI format** or the custom format of their choice. After validating the company's instructions, Chase routes payments through various payment systems --

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cheques, ACH, wire transfer (Fedwire, CHIPS and book), MultiBank, EDIBANX and international payments (by cheque, wire or international ACH). After processing the company's payment instructions, Chase provides a variety of management information, such as balance and transaction activity." . . . "**Chase PaySource enables customers to make same day money transfer payments to both their US and non-US trading partners in any currency, from any account,** whether debiting a Chase US dollar account in New York or one held at any other Chase location worldwide. If a customer holds an account at **any SWIFT member** bank worldwide, Chase PaySource's MultiBank feature will convert the instructions into a SWIFT message and deliver it to the account-holding bank in a secure authenticated message." . . . "Additionally, **as part of PaySource, Chase's Automated Clearing House (ACH)** outsourcing services handle electronic payments to employee and supplier beneficiaries in the US faster and more efficiently than processing payments in-house or by cheque." . . . "**Other banks are already providing this service, Cahill admits.** But she believes that the ACH service, the multibank capability and the SWIFT link make Chase's service unique.

Gluck, Andrew. "CREATING A GLOBAL CASH-MANAGEMENT GAME PLAN *BANK SYSTEMS & TECHNOLOGY.*" *New York: Feb 1997. Vol. 34, Iss. 2; pg. 28, 4 pgs. Teaches; "Some corporates have developed more sophisticated links to their banks. With larger corporations, the trend has been to link the customers and the bank's mainframes. The main goal of these systems is to take the back-office files of a company's foreign-exchange trading desk, for example, and transmit them to the bank without requiring the information to be rekeyed to be compatible with the*

bank's system. Besides getting all of the systems and technology in place, a global cash-management system - no matter how automated still depends on people." . . . "Of course, the investment in systems, technology and brick and-mortar required in building a real global cash-management capability can be far beyond the means of most banks.

That's why only four or five banks -- including , Chase, Citicorp, BofA and ABN Amro - are considered to be truly capable providers of this global service."

"Systems spell change for foreign exchange ",Global Investor. London: Nov 1996., Iss. 97; pg. 18. Teaches; **"Chase has just launched a proprietary foreign exchange trading system called Chase Trader Pro. The system can be linked with Chase's foreign exchange settlement system, Chase FXB Settlement.** Lloyd O'Connor, vice-president of global client access at Chase explains the advantages of such a link: "Fund managers are typically **buying or selling currency** on behalf of multiple asset groups. When fund managers have conducted their business over the telephone they often have to describe the underlying components of their trade."

Reeder (5,852,812) "BILLING SYSTEM FOR A NETWORK", Teaches in Column 2, "One embodiment of the present invention is a method for billing in a computer network, including the steps of providing **a plurality of prices for a transaction, each price specific to a local currency**; selecting one of the local currency prices for a transaction; and transmitting the selected local currency price to a credit company." Column 10 "One example of a transaction event is a file download by the customer 10 from an application server. **By downloading a file the**

customer is charged a set fee per download. A time-based event is one wherein charges accumulate over a period of time. For example, accessing stock quotes on a distributed network may incur charges for every minute that the customer remains on-line. The customer is then billed a set fee for every minute of on-line time in the

Anderson et al. (6,058,380) "SYSTEM AND METHOD FOR ELECTRONICALLY PROCESSING INVOICE INFORMATION ", Teaches in column 1; " Further, various vendors are beginning to accept **payment for bills in an EDI format that complies with the ASC X.12 820 standard ("820 Payment")**." . . . "There is a strong need in the banking industry for a system that will permit a financial intermediary to automatically process in an efficient and timely manner invoice information from a vendor on behalf of the vendor's customers. Such a system should take advantage of **financial EDI technology**, which allows companies to exchange payments and related data with trading partners using the **Automated Clearinghouse ("ACH") or private EDI networks**.

Slater (6,098,053) "SYSTEM AND METHOD FOR PERFORMING AN ELECTRONIC FINANCIAL TRANSACTION" teaches in column 3, "Further, with the Internet serving a worldwide market, there is **a desire for allowing a purchaser using one currency to perform an on-line, real time financial transaction with a merchant using another currency**. The ATM network discussed above allows this type of transaction to occur. For example, a United States citizen traveling in a foreign

country can utilize their ATM debit card in a local ATM to get a designated amount of the local currency. The functionality exists within the ATM network to convert the amount of local currency obtained into a corresponding amount of United States dollars and debit the appropriate amount.”

Boesch et al. (6,205,433) “SYSTEM AND METHOD FOR MULTI-CURRENCY TRANSACTIONS” 3) Teaches in column 1; “The present invention generally relates to a system and method for approving a transaction over a communications network between a merchant and a customer. More specifically, the present invention is directed to a system and method for **approving a transaction** between a merchant and a customer, wherein the transaction occurs **over an electronic network** (such as the Internet) and wherein the customer pays for a product using electronic cash in **one currency** and the merchant receives electronic cash for the product in **a different currency**.” And SEE Column 2, “One aspect of the present invention is the **shift of the risk** associated with currency exchange from both the merchant and **customer to a third party (e.g., a server) in real time**. This server may assume the risk itself or may choose to subsequently pass on the risk to a fourth party (e.g., a bank or other financial institution)”.

Nemzow (6,721,715) “METHOD AND APPARATUS FOR LOCALIZING CURRENCY VALUATION INDEPENDENT OF THE ORIGINAL AND ABJECTIVE CURRENCIES”, Teaches; While currency conversion is at face value a simple

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mathematical event, many obstacles prevent effective and direct implementation.

These obstacles include the date and time sensitivity of currency values, and the complexity of rate data, that is, the time value of money. Currency rate data comprises historical rates, prior market close rates, delayed market rates, **immediate market rates**, future rates (forecasts and with interest-bearing components), options (bets as to future price for sales or acquisition of a currency), stripped bonds, and any other financial instruments. Currency rates vary depending on factors such as direction of currency translation (i.e. from USD to DEM or DEM to USD), bids, asks, transaction size dependencies, and whether specific dates/times/currency pairs are missing or unavailable.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul Bell whose telephone number is (703) 306-3019. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sam Sough can be reached at 703-308-0505.

Information regarding the status of an application may be obtained from Patent Application Information Retrieval (PAIR) system, see <http://pair-direct.uspto.gov>. For help with PAIR call Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Or Faxed to: (703) 872-9306


Paul Bell

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April 5, 2005


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